

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

TYLER LOUDON,

Defendant.

Civil Action No. 4:24-cv-622

**PLAINTIFF’S UNOPPOSED MOTION TO ENTER AGREED
BIFURCATED JUDGMENT AGAINST DEFENDANT TYLER LOUDON**

Plaintiff U.S. Securities and Exchange Commission (“SEC”) and Defendant Tyler Loudon (“Defendant”) have reached a partial settlement. The SEC moves the Court to enter an agreed bifurcated judgment (the “Judgment”) against Defendant. The Judgment resolves Defendant’s liability, as well as the SEC’s claims against Defendant for injunctive relief and an officer and director bar. Further, the Judgment provides for resolution by the Court of the SEC’s remaining claims for monetary relief upon a future motion by the SEC.

I. The Settlement

The SEC contemporaneously filed its Complaint on February 22, 2024. (Dkt. No. 1.) The SEC and Defendant, through their respective counsel, engaged in settlement discussions and negotiations that resulted in this partial settlement. Defendant has executed a written consent (the “Consent”) that sets out the terms of the partial settlement. A copy of the Consent executed by Loudon is attached hereto as Exhibit “1” and a copy of the Judgment is attached hereto as Exhibit “2.”

Under the terms of the Consent, Defendant, among other things, (i) waives service of a summons and the Complaint; (ii) enters a general appearance; (iii) admits the Court's jurisdiction over Defendant and over the subject matter of this action; (iv) waives the entry of findings of fact and conclusions of law pursuant to Rule 52 of the Federal Rules of Civil Procedure; (v) consents to the entry of the Judgment; and (vi) waives any right to appeal from the entry of the Judgment.

The Judgment provides, among other things, that Defendant is enjoined from violating Section 10(b) of the Securities Exchange Act of 1934 (the "Exchange Act") [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5]. The Judgment also prohibits Defendant, pursuant to Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], from acting as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. § 78l] or that is required to file reports pursuant to Section 15(d) of the Exchange Act [15 U.S.C. § 78o(d)].

The SEC's claims for disgorgement, prejudgment interest, and civil penalties remain unresolved. The Judgment provides that the Court shall determine these issues upon a later motion of the SEC.

II. Conclusion

The SEC respectfully requests that the Court grant this Motion and enter the proposed Judgment as to Defendant.

Dated: February 22, 2024

Respectfully submitted,

/s/ Jason J. Rose
JASON J. ROSE
Texas Bar No. 24007946
S.D. Tex. Bar No. 1070896
SECURITIES AND EXCHANGE
COMMISSION
Burnett Plaza, Suite 1900
801 Cherry Street, Unit 18
Fort Worth, Texas 76102
(817) 978-1408 (jjr)
(817) 978-4927 (facsimile)
rosej@sec.gov

ATTORNEY FOR PLAINTIFF
SECURITIES AND EXCHANGE
COMMISSION

CERTIFICATE OF CONFERENCE

I certify that on February 20, 2024, I conferred with counsel for Defendant Loudon as to this Motion, and he stated that Loudon is **unopposed** to this motion.

/s/ Jason J. Rose
JASON J. ROSE

CERTIFICATE OF SERVICE

I certify that on February 22, 2024, I filed the forgoing document with the Clerk of the Court for the Southern District of Texas, Houston Division, using the CM/ECF system. The electronic case filing system will send a “Notice of Electronic Filing” to all counsel of record who have consented in writing to accept service of this document by electronic means.

/s/ Jason J. Rose
JASON J. ROSE